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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,091	12/01/2003	Bruno Benedetti	245941US6	1428

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

VERDIER, CHRISTOPHER M

ART UNIT	PAPER NUMBER
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3745

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/724,091

Applicant(s)

BENEDETTI ET AL. 

Examiner

Christopher Verdier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 5-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12-1-03, 4-1-04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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### *Specification*

The disclosure is objected to because of the following informalities: Appropriate correction is required.

The specification is replete with the term "filet" which is incorrect and should be changed to -- fillet --, in too many instances to list. See for example page 1, lines 26, 29, 30 etc. The specification should be carefully reviewed and all instances of -- filet -- should be changed to -- fillet --.

The abstract of the disclosure is objected to because in lines 4 and 6-7, "filet" should be changed to -- fillet --, and because in the last line, "(Fig. 5)" should be deleted.

### *Examiner's Suggestions to Claim Language*

The following are suggestions to improve the clarity and precision of the claims:

In claim 1, line 3, "the" (second and third occurrences) may be changed to -- a --.

### *Claim Objections*

Claims 5-13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-13 have not been further treated on the merits.

Claims 1-4 are objected to because of the following informalities: Appropriate correction is required.

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In claim 1, lines 2, 4, and 5, "filet" should be changed to -- fillet --.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4/1, and 4/2 are rejected under 35 U.S.C. 102(e) as being anticipated by Heyward 6,354,797. Note the turbine blade 10 for a gas turbine, comprising a hollow airfoil 24 extending from a platform 16/26, there being a fillet 32, 34 between the airfoil and the platform on a concave pressure side and a convex suction side of the airfoil, with the fillet containing a cooling bore 42 extending along part of the length of the fillet, with the cooling bore having a first end communicating with the interior of the turbine blade 36 for receiving a gaseous coolant and a second end communicating with the exterior of the turbine blade. The first end of the cooling bore is inside of the platform. The second end of the cooling bore is at the exit side of the turbine blade.

Claims 1-3, 4/1, 4/2, and 4/3 are rejected under 35 U.S.C. 102(b) as being anticipated by Dierberger 4,040,767. Note the turbine blade 16 for a gas turbine, comprising a hollow airfoil 20

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extending from a platform 22, there being an unnumbered fillet between the airfoil and the platform on a concave pressure side 26 and a convex suction side 24 of the airfoil, with the fillet containing a cooling bore 36 extending along part of the length of the fillet, with the cooling bore having a first end communicating with the interior of the turbine blade 28 for receiving a gaseous coolant and a second end communicating with the exterior of the turbine blade. The first end of the cooling bore is inside of the platform. The first end of the cooling bore is in the interior of the platform and is formed as an unnumbered groove in the platform 22. The second end of the cooling bore is at the exit side of the turbine blade.

#### *Prior Art*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Noble is cited as the US equivalent to German Patent 2,643,049.

Beeck is cited as the US equivalent to German Patent 100 59 997.

Weinhold is cited to show a cooled turbine bled with elongate injection holes 60A.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (703)-308-2638. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (703) 308-1044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.V.  
November 13, 2004

  
Christopher Verdier  
Primary Examiner  
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